

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO  
REGION**

**ORDER NO. R9-2002-0031**

**ADMINISTRATIVE ASSESSMENT OF CIVIL LIABILITY  
AGAINST  
ATLANTIC RICHFIELD COMPANY  
ARCO STATION 03012  
FOR  
NONCOMPLIANCE WITH  
ORDER NO. 96-41  
NPDES NO. CAG919002**


The San Diego Regional Water Quality Control Board, San Diego Region (hereinafter SDRWQCB), having held a Regional Board Meeting on March 13, 2002, accepts the waiver of the right to a hearing dated February 7, 2002, and on the recommendation for administrative assessment of civil liability in the amount of \$24,000 finds as follows:

1. On June 13, 1996, the SDRWQCB adopted Order No. 96-41, NPDES No. CAG919002, *General Waste Discharge Requirements for Groundwater Extraction Waste Discharges from Construction, Remediation, and Permanent Groundwater Extraction Projects to Surface Waters Within the San Diego Region Except for San Diego Bay*. On April 25, 2001, Atlantic Richfield Company was approved to discharge treated groundwater from the dewatering/remediation project, located at 27641 Ynez Road, in the city of Temecula. The site discharges to Murrieta Creek through a storm drain, according to the discharge requirements set forth in Order No. 96-41.
2. In June 2001 the discharger's self-monitoring report (SMR) indicated discharge concentrations of manganese, cyanide, nickel, acute toxicity, chronic toxicity, and benzene above the permitted effluent limitations.
3. In July 2001, the discharger's SMR indicated discharge concentrations for pH and phosphorous above the permitted effluent limitations.
4. Under Section 13385(i) of the Porter-Cologne Water Quality Control Act, each of the eight violations is subject to mandatory penalties as outlined in the attachment titled Table 1, Summary of Violations, Atlantic Richfield Company, ARCO Station 03012.
5. The total amount of the mandatory penalty is \$24,000.

6. The SDRWQCB incurred costs totaling \$3,200, which includes preparation of enforcement documents, preparation for and attendance at meetings, and public hearings.
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000), in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

**IT IS HEREBY ORDERED** that, pursuant to Section 13385 of the California Water Code, civil liability is imposed on the Atlantic Richfield Company in the amount of twenty four thousand dollars (\$24,000) which was paid to the State Water Resources Control Board for deposit into the State Water Pollution Cleanup and Abatement Account on February 13, 2002.

I John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order imposing civil liability issued by the California Regional Water Quality Control Board, San Diego Region on March 13, 2002.

  
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JOHN H. ROBERTUS  
Executive Officer